

89 # Ireland vol 7.
[This Pamphlet was written on Friday last; but not
a Printer was to be found, who would venture
to publish it, for Fear of incurring the high
Displeasure of the Mob. ---- Such is the Liber-
ty of the Press in this Country of Freedom!]

A N
A N T I D O T E
T O
Dr. L^UCAS's Address; *k*
A D D R E S S E D T O T H E
M E R C H A N T S
O F T H E
C I T Y O F D U B L I N.

D U B L I N : Printed in the YEAR, 1766.

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10 Jan. 1766

1874
The Board of Directors of the
City of Dubuque, Iowa, has
the honor to acknowledge the
receipt of the sum of \$100.00
from the Treasurer of the
City of Dubuque, Iowa, for
the year ending December 31st,
1874.

AN
ANTI-DOTE
TO

Dr. J. C. Allen



AND
MERCHANTS
OF THE

CITY OF DUBUQUE

DUBUQUE, IOWA



A N
A N T I D O T E
T O

Dr. L^{uca}----S's ADDRESS, &c.

GENTLEMEN,

I HAVE no Doubt but you have all read a Paper lately published, and addressed to the Lord-Mayor, Aldermen and Citizens of *Dublin*, relative to a Bill (which has, happily for this Country, passed into a Law) to prohibit, for some Time, the Exportation of Corn: And I cannot but hope it excited in your Minds that just *Resentment*, which every Man of *Sense* and *Decency* must feel, on reading a nonsensical, seditious Performance, calculated merely to *traduce* the Proceedings of Parliament, and to *inflame* the Populace against their Representatives, the *proper*, and *faithful Guardians* of their Rights and Liberties.

WHAT Effect this Pamphlet has had upon the lower Class of the People, our public Papers testify, which are filled with Addresses of Thanks to

its wretched Author; though the Subject be such as *they* could not possibly understand, even if it were possible for *him* to write intelligibly.

I COULD not read, without some Degree of Indignation, the prostituted Praises of those *deluded* People. I should, however, have suppressed my Feelings: His Majesty, King CLAUDE, should have enjoyed the affectionate Addresses of his faithful Commons, and should have blest them, in Return, with *his most gracious* Answers, unmolested by any Attempts of mine, to interrupt this noble Emulation of Sentiment, had I not heard, by Chance, this very Morning, that the Guild of Merchants intended, as on *Monday* next, to take the Address of this Monarch under Consideration, in their Assembly: — This Report, I must own, alarmed me; and is the real Cause of this Application to you.

WHILST a pestilential Disease confines itself to Rats, Cats, Dogs, and Creatures of inferior Note, it passes unobserved, or unregarded; but when it rises above those Bounds, and seizes Animals of a nobler Nature; we *then* begin to startle at its Progress, and endeavour to avert its baneful Influence: — That Weavers, Saddlers, Painters, Turners, and Barbers should be infected with this Poison, was naturally to be expected, and of no great Importance: But that it should reach so respectable a Body, as *the Merchants of this City*, is a Matter of such *serious* and public Concern, that I cannot avoid engaging in their Defence, and exerting my feeble Efforts to shield them from the Danger.

I HAVE

I HAVE not so poor an Opinion either of your Integrity, or your Judgment, as to suppose it possible for *you* to be *perverted* by this bungling Incendiary ; but I wish to save you even from the *Disbonour* of having *hesitated*, for a Moment, whether you should give the Sanction of *your Approbation* to such factious, unconstitutional Proceedings. I shall, therefore, without attempting to answer the Address, (for what *reasonable* Answer can be given to vague Declamation and senseless Ribaldry ?) endeavour to lay before you the *true State* of the Question, to which it relates, and to explain to you, in the clearest and most *artless* Terms, the *Nature* of that *Alteration*, which, notwithstanding the Clamour that has been raised against it, appears to me so reasonable in itself, so harmless with Respect to any Consequences which can possibly follow from it.

WHEN this Matter was in Agitation in the House of Commons, I was surprized to find this excellent Bill, on which the Lives of Thousands of my Fellow-Subjects may depend, opposed, in every Period of its Progress, with such unwearied *Obstinacy*, and, at the same Time, with *so little Force of Reason and Argument* : For, though one Gentleman inveighed against it with that Spirit and Eloquence, which would become a *Roman*, or a *British* Senate, he confined himself so little to the Point in Question, that Nothing which fell from him, or from any *other* of the *Opponents* to the Bill, deserved to be called by the Name of *Argument* : ----- YOKE, ----- FAMINE, ----- SLAVERY, ----- UNCONSTITUTIONAL ----- INNOVATION, ----- and some invidious Terms of a *like* Nature, were bandied to and fro, in
their

their several Declamations; supplying, not imperfectly, it seems, the Place of *Reason*.

By the HEADS of the Bill, as they passed the H—— of C——s, a Power was vested in the Chief Governors and Council of *suspending* the *Execution* of this Law, when they should think it advisable; and, by a Clause added in *Great-Britain*, this Power of *Suspension* was likewise extended to His Majesty in Council.----The principal Objection to this additional Proviso, was, that it introduced an *Innovation*, of a dangerous *Tendency*, and was an Insult on the H—— of C——s, and on the Nation. This, the Gentlemen in Opposition *asserted*, but did not attempt to *prove*; nor did they even inform us very precisely *where* this Innovation lay: — I shall endeavour, therefore, to point it out to you, by considering the several Circumstances, which *distinguish* that Bill from those which usually pass, *without Objection*.

AN Alteration had been made in the Bill, after it was transmitted to Great-Britain.

THAT, surely, was *no Innovation*: ---- Every Session, since the Revolution, affords us some Example of Bills passed in our Parliaments, though they had been *altered* at the other Side of the Water;--- nor have I heard that a Bill has been *rejected*, because it was altered in *England*, unless the Alteration was of itself improper.

This Bill vests in His Majesty a Power of suspending the Execution of it.

---- THIS

--- THIS may be a Singularity, but is no *Innovation* : --- I can produce to you a Precedent, not taken from the Evil Times of *Philip* and *Mary*, but from the glorious and happy Reign of *GEORGE the second* ; by which you will find, that in 1731, the Parliament invested His Majesty with a Power of suspending the Execution, even of a *Money-Bill*. --- In that Session, a Tax of *Four Shillings in the Pound* was laid on the Sallaries and Pensions of all Persons who should be absent from the Kingdom beyond a certain Time, *except such Persons as His Majesty should please to exempt from that Tax, by an Order under his Sign manual*

THE only material Difference between the Precedent I have cited, and the Bill at present under our Contemplation, is this : The former Law might be suspended, by an Order under the Sign manual ; whereas the Order for suspending this Act must be made by his Majesty in Council : --- *His Majesty in Council ! --- Hinc illæ Lacrymæ* : These are the fatal Words, which occasion all our Terroures --- Terroures ! which, if they have any real Existence in the Minds of any, can only arise from an Ignorance of the Constitution of both these Kingdoms, unpardonable in Men who have a Share in the Legislature of either.

To prove the Truth of what I now advance ; I shall point out to you a few of those political Maxims, on which the Gentlemen, who oppose this Law, seem principally to rely ! --- They assert,

First ; That the King and Council are the Executive Power of *Great-Britain*.

Secondly ;

Secondly ; That the Lord Lieutenant and Council are the Executive Power of this Kingdom.

Thirdly ; (which follows, indeed, from the other two) that the Executive Powers in the *two* Kingdoms are *different*.

Fourthly ; That whenever it shall happen, that the two Kingdoms have the *same* Executive Power, the Consequence must be that they will have the *same* *Legislative* also.

Fifthly ; That the Power of *suspending* a Law, can be lodged only in the *executive* Power of the State, and that whenever the Power of *suspending* a Law is vested in any Body of Men, they become, *ipso facto*, the *executive* Power.

THESE several Propositions are laid down, by the Author of the ADDRESS, as so many *undoubted Axioms*, and were adopted, as *such*, by all the Gentlemen who joined with him in opposing the Bill : Yet they are, every one of them, absolutely *false* ; and the two last of them particularly ridiculous.

It is astonishing that Gentlemen of Sense and Literature should be ignorant of such *essential* Points ; but their Ignorance proceeds, in some Measure, from their not sufficiently considering the *Nature* of the Privy Council in either Kingdom, and their supposing the Power of *that* in *England* to be *equal* to the Power of the *Irish* Council ; whereas, in Fact, it falls extremely short of it.

The Privy Council of *Ireland* are a Control upon the Chief Governor: No public Act of his is valid, unless confirmed by a Majority of that Board. But the Council of *Great-Britain* are no Control upon His Majesty: They are the *Advisers* and the *Witnesses* of His Actions; but their Concurrence in them is no way necessary; and every Order of the King, though made in Council, is as much *solely* and *singly* the Act of His Majesty, as if it were made by him in his Closet, and under his Sign manual.

The Privy Council of *England* have no Share in the Executive Power of that Kingdom: They are Sometimes; indeed, considered as a Court of Judicature. In that Case, the Lord President, not his Majesty, presides in the Council; and they act, as all other Courts of Justice do, by Virtue of the delegated Authority of the Crown: --- The same may be said of the Lord Lieutenant and Council of *Ireland*: --- They have no Share in the absolute executive Power of this Kingdom, which, both here and in *Great-Britain*, resides solely in his Majesty: They do but exercise such Part of that Power as He thinks proper to delegate to them. It is true they are actually invested with a *Share* of that Power: So are the Judges of our several Courts; so are the inferior Officers of Justice: But the constitutional executive Power is vested solely in His Majesty. And the Privy Council of *England*, or the chief Governor and Council of this Kingdom, have no better Claim to any Share in it, than the *petty Constable* of the meanest Barony, who derives his Authority from the same Fountain that they do. --- The supreme executive Power of a Nation

can own no Superior, but the Legislative. It is absurd, therefore, to suppose that those should share this Power with his Majesty, who owe their Existence to his Will and Pleasure.

It follows clearly from hence,

First; That the King and Council are not the executive Power of *Great-Britain*.

Secondly; That the chief Governor and Council are not the executive Power of this Kingdom.

Thirdly; That the executive Powers in the two Kingdoms are not different, but the same; the executive Power of both residing in his Majesty only.

THIS last Proposition is pregnant of the most fatal Consequences. If the Maxims of these Gentlemen be just, there is an End of our Liberty! an End of our Parliaments! and we are no more a Nation! for our executive Power is the same with that of England, and, of Course, our legislative Power must also be the same. For my Part, I cannot conceive from what Premises they draw this Conclusion: For, if the *English* should ever pretend to make Laws for us, because the King of *Great-Britain* is the executive Power of *Ireland*; we have just as good a Right to make Laws for them, because our King of *Ireland* is the executive Power of *Great-Britain*: — Depend upon it, that when they form any serious Design of making Laws for us, they will support their Oppression by much more forcible Arguments.

I come

I come now to consider the *fifth* political Axiom; in which it is asserted, That, whenever the Power of *suspending* a Law is lodged in any Body of Men, they become, *ipso facto*, the executive Power of the State.—This Proposition is too ridiculous to be seriously answered: — If the Parliament had vested in You, Gentlemen, a Power of suspending the Execution of this Act, (and, from the many Opportunities you have of comparing the Quantity of Corn in the Kingdom, with the Demands of the Inhabitants, I know no Body of Men more capable of executing it with Propriety) would you from that Moment have erected yourselves into the executive Power of the Kingdom? — Had the Parliament lodged that Power in the Lord Mayor of *London*, would he, from thence, become the executive Power of *Ireland*? — The Absurdity of this Supposition strikes every Body at first Sight: — And can an Argument, which appears so ridiculous, when applied to any other Body of Men, become *serious* and *weighty*, when applied to the Council of *Great-Britain*?

BUT I have already proved, and, I think, beyond all Possibility of Doubt, that this Act gives no Power whatsoever to the *English* Council: And, as that is certainly the Case; I appeal to every Man of Sense and Discretion, whether it be not more proper, most respectful to this Country, more desirable in every Respect, that the Suspension of this Law should depend upon the Order of his Majesty, publicly made in the midst of His Council, than upon a *private* Order, which He might sign in his Closet?

If the Ports of *Ireland* could be opened for the Exportation of Corn, by such a private Order, it is possible *that* Order might be obtained in a clandestine Manner, by the Influence of a Favourite, bribed thereto by some interested Persons. --- You have, many of you, in the Course of your Business, suffered by Embargoes, laid on from such private Motives ; --- but there is no such Danger to be apprehended, when the Order for suspending this Act is to be made by his Majesty before the principal Persons of His *British* Subjects, who are at once the Witnesses of His Conduct, and the Judges of the Propriety of it.

We have the strongest Reason to believe, that no such Order will ever be made, unless the Necessities of the *English* shall require it ; and, if they should stand in Need of our Assistance, GOD forbid that we should be so ungrateful's as to refuse it to a People, who, in the Time of the greatest Scarcity, when they have prohibited the Exportation of their Grain to all other Parts of the World, have never failed to make an Exception in Favour of this Kingdom.

We may also be assured, that his Majesty will not open our Ports for the Exportation of Grain ; without prohibiting, at the same Time, the Exportation of Corn from *Great-Britain* : By which Means, we shall supply the People of ENGLAND only ; whereas, if this Law had been rejected, our Corn would be carried, through *England*, to every other Part of *Europe*, and we should give Plenty to our Enemies, while we are starving at Home.

Before

Before I conclude this Subject, I must be candid enough to own that this Act *does* Introduce an *Innovation*, and one of a very material Nature :--- This is the *first* Time that an Embargo has ever been laid on, in this Kingdom, by the Authority of the *Irish* Parliament :--- This is the first Time that His Majesty ever delegated to his *Irish* Subjects the Exercise of that undoubted Branch of his Prerogative :--- He has indeed *presumed* to reserve to Himself a Liberty of re-assuming his Authority, when the Safety of his *English* Subjects shall require it.--- By what Arguments People persuade themselves that this Reservation is an Innovation dangerous to our Constitution, and an Insult on the Nation, I cannot comprehend : But, of this I am confident, that the Rejecting the Bill in Question, for that Reason only, would have been the most wanton, unprovoked, unwarrantable Insult on Majesty, that ever was offered to a Good Prince by any House of Parliament.

I shall trouble you with no further Observations on this Subject, and hope, for your own Sakes chiefly, that what I have said may prove a sufficient ANTIDOTE against this seditious ADDRESS :---As for the wretched Author, I shall say Nothing of him : The Abhorrence I feel for him, on Account of his public and private Conduct, is softened by the Consideration of his distressed Circumstances, and his various Infirmities of Mind and Body : Besides, Experience shews us that, like a false Religion, he thrives by Persecution ; and, though I wish him no Harm, I am
not

not sufficiently his Friend, to use him with the Severity he deserves. — If the august Assembly, which he has so highly and unconstitutionally insulted, should follow my Example, and treat him with Lenity and Contempt, the poor Man will be absolutely undone!

10th January, 1766.



F I N I S.

